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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Edward J. Panelli

Serial No.: 09/747,476

Filed: December 22, 2000

For: WORKSTATION CONFIGURATION AND  
SELECTION METHOD AND  
APPARATUS

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Group Art Unit: 3625

Examiner: Nguyen, Cuong H.

Atty. Docket: GEMS:0118/YOD/VYA  
15-EC-5769

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Date	Stephanie Shamgar

**APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37**

This Appeal Brief is being filed in furtherance to the Notice of Appeal mailed on October 21, 2005, and received by the Patent Office on October 24, 2005.

The Commissioner is authorized to charge the requisite fee of \$500.00, and any additional fees which may be necessary to advance prosecution of the present application, to Account No. 07-0845, Order No. 15-EC-5769/YOD/VYA (GEMS:0118).

1. **REAL PARTY IN INTEREST**

The real party in interest is General Electric Company, the Assignee of the above-referenced application by virtue of the Assignment recorded at reel 011408, frame 0615, and dated December 20, 2000. Accordingly, General Electric Company, as the Assignee

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of the above-referenced application, will be directly affected by the Board's decision in the pending appeal.

2. **RELATED APPEALS AND INTERFERENCES**

Appellant is unaware of any other appeals or interferences related to this Appeal. The undersigned is Appellant's legal representative in this Appeal.

3. **STATUS OF CLAIMS**

Claims 1-25 are currently pending, are currently under final rejection and, thus, are the subject of this Appeal. Claims 25-36 have been previously cancelled without prejudice.

4. **STATUS OF AMENDMENTS**

As the pending claims have not been amended at any time, there are no outstanding amendments to be considered by the Board.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

The present invention relates generally to the field of providing purchasing information to a radiological imaging workstation customer. *See, e.g.*, Application, p. 1, ll. 5-10. Embodiments of the present invention are summarized below.

However, prior to continuing, Appellant notes that the present application contains 2 independent claims--namely, claims 1 and 15-- all of which are the subject of this Appeal; and the subject matter of these claims is summarized below. Moreover, with regard to the aspects of the invention set forth in independent claim 1, discussions of the recited features of claim 1 and 15 can be found at least in the below cited locations of the specification and drawings.

By way of example, FIG. 4 of the present application illustrates a computer system 120 that enables a radiological imaging workstation supplier to provide a

customer with a recommended imaging system. *See, e.g., id.* at p. 13, ll. 17-25. As illustrated, the exemplary computer system 120 includes an application server 124 that directs customers to appropriate product information files on the computer system 120. *See, e.g., id.* at p. 13, l. 28 to p. 14, l. 8. To effectuate this result, the exemplary system 120 includes a query page 128 that contains questions designed to enable the supplier to determine a radiological imaging workstation that meets the given customer's needs. *See, e.g., id.* at p. 14, ll. 1-10. The designed questions may be stored on an "ADV Workstation" product selector file 126, which holds the data used to populate the query page 128. *See e.g., id.* at p. 14, ll. 5-10. And this product selector file may be an XML file. *See e.g., id.* at p. 14, ll. 27-30.

As a specific example, numeral 178 of FIG. 7 of the present application represents a question scheme designed to establish the imaging software to be recommended. *See e.g., id.* at p. 18, l. 22 to p. 19, l. 4. Indeed, there may be a multitude of imaging software types to choose from, and, without appropriate assistance, a customer may purchase an unnecessarily robust package, leading to unwanted costs. Conversely, a customer, again without assistance, may purchase a package that is too lean for the customer's needs, again leading to unnecessary or duplicative costs. Further still, a customer may purchase an imaging system with software that is generally inappropriate for the tasks carried out by the customer, e.g., an orthopedic facility that has purchased an imaging software package geared for dental practices, for instance.

Based on responses to the query page 128, a JAVA applet 132 operates to compare the customer's answers with data stored in the "ADV Workstation" product selector file 134. *See Application*, p. 14, ll. 10-15. The product selector file, which may be written in XML, contains data that correlates a potential customer's answers to a desired radiological system and, moreover, to a specific configuration (e.g., operating software) for a recommended radiological imaging system. *See, e.g., id.* at p. 14, ll. 10-31.

Subsequently, the recommended imaging device configuration, as determined by the system 120, is provided to the client/browser 122 via a results page 136. *See e.g.*, Application, p. 20, ll. 1-10. As illustrated in FIG. 9 of the present application, the results page 136 provides the customer with a recommended system 196 and recommended options 198, such as the imaging device software for the imaging device. *See id.*

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

**A. First Ground of Rejection for Review on Appeal:**

Appellant respectfully urges the Board to review and reverse the Examiner's first ground of rejection in which the Examiner rejected claims 1-6 and 9-25 under 35 U.S.C. § 103(a) as obvious in view of the Tavor et al. reference (U.S. Patent No. 6,070,149; hereinafter "Tavor") and the Doi et al. reference (U.S. Patent No. 5,224,177; hereinafter "Doi").

**B. Second Ground of Rejection for Review on Appeal:**

Appellant respectfully urges the Board to review and reverse the Examiner's second ground of rejection in which the Examiner rejected claims dependent claims 6-8, 14, and 19-24 under 35 U.S.C. § 103 as obvious in view of Tavor, Doi, and, additionally, the Henley reference (U.S. Patent Appl. No. 2002/0065758; hereinafter "Henley").

7. **ARGUMENTS**

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under Section 103. For example, Appellant addresses in detail below the Examiner's failure to establish a *prima facie* case of obviousness: 1) By failing to demonstrate, in a general sense, a system that links and recommends an imaging system and imaging system software for that imaging system; and 2) by failing to present an *objectively supported* motivation for combining the cited references to reach the rejected claims. Accordingly, Appellant respectfully requests full

and favorable consideration by the Board, as Appellant strongly believes that claims 1-25 are currently in condition for allowance.

**A. Legal Precedent**

First, Appellant respectfully submits that the burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). To establish a *prima facie* case of obviousness, the Examiner must satisfy two threshold burdens. First, the Examiner must show that the combination or modification includes *all* of the claimed elements. *See* M.P.E.P. § 2143.03 (Rev. 2, May 2004) (citing *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974)). Indeed, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Secondly, the Examiner must also present a convincing line of reasoning as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *See Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

Moreover, as is firmly established by long standing legal precedent, obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion *supporting* the combination or modification. *See ACS Hospital Systems, Inc. v. Montefiore Hospital*, 221 U.S.P.Q. 929, 933 (Fed. Cir.1984). Indeed, the mere fact that references *can* be combined or modified does not render the resultant combination obvious unless prior art also suggests the desirability of the combination. *See In re Mills*, 16 U.S.P.Q.2d. 1430 (Fed. Cir. 1990). Thus, in presenting a Section 103 rejection, the Examiner must provide *objective evidence*, rather than subjective belief and unknown authority, of the requisite motivation or suggestion to combine or modify the cited references. *See In re Lee*, 61 U.S.P.Q.2d. 1430 (Fed. Cir. 2002). “*Broad conclusory statements* standing alone are not ‘evidence’.” *In re Kotzab*, 55 U.S.P.Q. 2d 1314, 1317 (Fed. Cir. 2000) (emphasis added).

Furthermore, when prior art references require a selected combination or modification to render obvious a subsequent invention, there must be some reason for the combination or modification *other than the hindsight* gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination or modification. *See Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988). Indeed, the Federal Circuit has warned that the Examiner must not “fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher.” *See In re Dembiczak* 50 U.S.P.Q. 2d 52 (Fed. Cir.1999). (quoting *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 220 U.S.P.Q. 303, 313 (Fed. Cir.1983)). Moreover, avoiding hindsight reconstruction is especially important regarding less technologically complex inventions, where the very ease which the invention can be understood may prompt one to employ such hindsight. *See id.*

As discussed above, in determining the differences between the prior art and the claims, the question under Section 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *See Stratoflex, Inc. v. Aeroquip Corp.*, 218 U.S.P.Q. 871 (Fed. Cir. 1983). Thus, the Examiner must not look at each element of a claim individually, but rather the claims should be viewed as a tapestry comprising the recited elements. Indeed, “it is impermissible, however, to simply engage in a hindsight reconstruction of the claimed invention, *using the applicant’s structure as a template* and selecting elements from references to fill the gaps.” *In re Gorman*, 18 U.S.P.Q. 2d 1885, 1888 (Fed. Cir. 1991) (emphasis added). Simply put, what may seem logical to combine in retrospect and after viewing an applicant’s invention is not obvious unless the cited references, without benefit of this hindsight, teach what is claimed. *See In re Zurko*, 42 U.S.P.Q.2d 1476, 1479 (stating “[w]hile in retrospect, looking at applicants’ invention, it might seem logical to perform a repeat-back in the UNIX system over a trusted line, neither UNIX not FILER2 teaches communications with the user of a trusted pathway,” as is recited in the claim in question). In summary, a valid Section 103 rejection must *articulate and*

*support with objective evidence* a line of reasoning that establishes why one of ordinary skill in the art, with no knowledge of an Appellant's invention, would make the combination presented in the manner claimed. *See In re Kotzab*, 55 U.S.P.Q. at 1318 (Fed. Cir. 2000).

With the foregoing legal precedent in mind, Appellant respectfully asserts that the pending claims are not obvious in view of the cited references, whether taken alone or together.

#### **B. First Ground of Rejection**

In the Final Office Action, the Examiner rejected claims 1-6 and 9-25 under 35 U.S.C. § 103(a) as obvious in view of Tavor and Doi. Specifically, in rejecting independent claims 1 and 15, the Examiner stated as follows:

A. Regarding claims 1, 12-13, 15, 17: Tavor et al. disclose a computer system coupled to a network to select a product, comprising an application server (see Tavor et al., the abstract, and Fig. 1- ref. 18), and product selector/ configuration file written in a markup language (see Tavor et al., 2:19-28 and Fig. 3), and stored in the computer system; Tavor et al. suggest questions to determine a product based on the customer's responses, a comparison program to receive a query page and compare customer's responses — by populating blanks of a web page (see Tavor et al., Fig. 4 ref. 76, and Fig. 5 ref. 44); Tavor et al. also teach about a product configuration file written in a markup language which contains information about the specific product (see Tavor et al., 2:19-28 and Fig. 3), and a server to provide a results page to the customer via the network (see Tavor et al., Fig. 1, and Fig. 4 ref. 76), the results page providing the customer with a recommended product (see Tavor et al., Fig. 4).

Taylor's [*sic*] reference fails to disclose the type of product being a radiological imaging workstation. However, Doi et al. teach a medical product such as a CR system can be purchased (col. 8:61-62).

It would have been obvious at the time the invention was made to a person of ordinary skill in the art to use a CR system as the type of product being supplied in Taylor's [*sic*] reference as disclosed in Doi since purchasing a radiological imaging workstation is a big investment, and

there are many different models which a user may need a server to organize his priorities for recommendations when purchasing a proper product.

See Final Office Action mailed June 21, 2005, pp. 2-3. Additionally, in response to Appellant's previous arguments, the Examiner stated as follows:

The cited references are in the field of endeavor; such as a CR system, a MRI system; therefore, the claimed limitations of a workstation that having [sic] similar functions as cited systems are not an inventive concept because the cited references teach about what the Appellant claims. All languages in the pending claims have been considered/weighted and they are obvious with cited references. On page 9, 2<sup>nd</sup> para. The Appellant states <<the Examiner must provide objective evidence... >>, the examiner respectfully submits that this was given in the Office Action mailed on 11/08/2004.

On page 11, 3<sup>rd</sup> para., the Appellant states that <<... neither the examiner nor the cited references themselves suggest a system that establishes a relationship between a hardware component and a software component for the hardware component..." the examiner respectfully submits that this "relationship" is obviously involved in the cited systems (there is no need to spell-out because no computer-based system works without related software).

See *id.* at pp. 6.

Appellant, however, respectfully traverses the Examiner's rejection on the basis that the Examiner has not established a *prima facie* case of obviousness with respect to the claims. First, Appellant respectfully submits that the Examiner has not shown that the cited reference combination discloses *all* of the features recited in the pending claims. Secondly, Appellant respectfully submits that an *objectively supported* motivation for combining the cited references to reach the instant claims has not been articulated. Thirdly, Appellant respectfully submits that this lack of objective evidence demonstrates that impermissible hindsight reconstruction has been employed to reject the instant claims.



1. **The cited references fail to disclose all of the recited features.**

For example, the cited reference combination does not disclose “a query page [that] comprises a plurality of questions designed to enable the computer system to determine a recommended radiological imaging workstation ... wherein at least one of the plurality of questions establishes the *imaging software to be recommended*,” as is recited in independent claim 1. (Emphasis added.) In stark contrast, it appears that Tavor relates to a virtual sales representative for selecting *consumer products* through the use of software modules described as “intelligent.” See Tavor, col. 3, ll. 5-16; col. 16, ll. 30-37 (noting the description of various pipe lines for purchasing a screen, a VCR, or a tablecloth). As Tavor focuses on *consumer products*, it does not disclose a device or module through which an imaging device and, subsequently, a software regime for the imaging device is selected. That is, Tavor does not disclose or teach a relationship between the selected consumer product and subsequent configuration of the consumer product based upon elicited responses, let alone providing a recommended radiological imaging workstation and recommended imaging software for the radiological workstation as is recited in the pending claim. Indeed, nothing in Tavor suggests that a recommended product’s recommend configuration is determined based elicited responses; rather, Tavor only describes a technique for a recommended consumer product, with no specific configuring of the recommended product. For instance, Tavor may recommend a type of VCR, but in no way does Tavor suggest or recommend a software or operating regime for the VCR. In fact, Tavor suggests that the recommended product is based not on what is best for the consumer, but instead on what is *best for the seller*. See *id.* at col. 3, ll. 24-26 (stating that “[t]he system works to convince the user to buy certain products”).

Thus, Appellant respectfully asserts that Tavor does not disclose all of the features recited in independent claim 1 and, as such, its respective dependent claims 2-14. Therefore, Appellant respectfully submits that a *prima facie* case of obvious with respect to at least independent claim 1 and its respective dependent claims 2-14 has not been established.

**2. The cited reference combination  
lacks the requisite motivation for combination.**

Even if, *arguendo*, the cited reference combination discloses all of the features recited in the pending claims, Appellant respectfully asserts that an objectively supported motivation for combination has not been articulated.

As is quoted above, the Examiner concedes that Tavor lacks a relationship to radiological imaging workstations. *See* Final Office Action mailed June 21, 2005, p. 3. However, to obviate this deficiency, the Examiner relies solely on Doi. Specifically, the Examiner relies on a single sentence in Doi that states “[t]he CR system is expensive to purchase and maintain.” *See id.* (citing Doi, col. 8, l. 62). Based on the fact that a CR system “can be purchased,” the Examiner presents the following motivation for combination: “[i]t would have been obvious at the time the invention was made to a person with ordinary skill in the art to use a CR system as the type of product being supplied in Taylor’s [*sic*] reference as disclosed in Doi since purchasing a radiological imaging workstation is a big investment, and there are many different models which a user may need to server [*sic*] to organize his priorities for recommendation when purchasing a proper product.” *See id.*

Appellant, however, respectfully submits that the Examiner has not provided *objective evidence* to support the case of obviousness presented above. Indeed, the Examiner has not cited to or presented a section of Tavor that suggests applicability to an imaging device, nor has the Examiner shown through Doi that purchasing of an imaging system through a virtual sales module of Tavor is desirable. As discussed above, the focus of Tavor appears to be consumer products. And the focus of Doi is related to “a method and *system for high quality radiographic film duplication.*” *See* Doi, col. 1, ll. 5-10 (emphasis added). Thus, Doi relates to techniques for producing the image, and not to techniques or methodology for purchasing an imaging system. Although Doi discloses

that CR devices can be bought, Doi in no way suggests how or through what methodology these devices should be purchased. Thus, neither Tavor nor Doi provide the objective evidence necessary for a *prima facie* case of obviousness.

Additionally, Appellant respectfully submits that the Examiner's reasoning in combining Tavor and Doi also lacks support with objective evidence. Indeed, the mere fact that various kinds of radiological imaging workstations— which are characterized by the Examiner as big investments— can be purchased is not sufficient to establish *why* one of ordinary skill in the art would combine Tavor and Doi to reach the specifically claimed subject matter of the present application without knowledge of Appellant's disclosure. Instead, the Examiner's rejection, at best, evidences that the cited references *can* be combined to reach the pending claims.

Moreover, Appellant respectfully submits that the Examiner's combination of these two references relies on the Examiner's *subjective belief* as to what one of ordinary skill in the art would find obvious. Regarding such a rejection, the Federal Circuit has made clear that all material facts must be documented on the record, lest the “haze of sole-called expertise” acquire insulation from accountability. *In re Lee*, 61 U.S.P.Q.2d 1430, 1435 (Fed. Cir. 2002). In fact, common knowledge and common sense, even if assumed to derive from the agency's expertise *do not substitute for authority when the law requires authority*. *See id.* Thus, Appellant respectfully submits that this lack of *objective evidence*, which is required by Section 103, prevents the Examiner's cited reference combination from establishing a *prima facie* case of obviousness with respect to the pending claims.

**3. The Examiner has employed impermissible hindsight reconstruction.**

Furthermore, Appellant respectfully submits that this lack of objective evidence demonstrates that the Examiner has relied on impermissible hindsight to reach the

pending claims. Assuming that an artisan of ordinary skill in the art had no knowledge of Appellant's invention, there is no teaching in either Doi or Tavor that would lead this artisan to making the combination as is claimed in the present application. The logic provided by the Examiner— i.e., “a radiological imaging workstation is a big investment, and there are many different models which a user may need a server to organize his priorities”—relies on a retrospective analysis of Appellant's teachings, specifically the articulated benefits of the claimed subject matter. As is quoted above, case law makes clear that although it may appear logical to perform, in retrospect, a claimed technique in view of an Appellant's teachings, such logic is not sufficient to establish a *prima facie* case of obviousness. See *In re Zurko*, 42 U.S.P.Q.2b 1476, 1479. With this precedent in mind, Appellant respectfully submits that the Examiner's present rejection relies wholly upon this retrospective analysis, with the simplicity of Appellant's claimed subject matter leading the Examiner down this perilous road of impermissible hindsight reconstruction.

#### **4. Conclusion**

Therefore, Appellant respectfully asserts that a *prima facie* case of obviousness with respect to the claims of the present patent application has not been established. Accordingly, Appellant respectfully submits that the pending claims of the present patent application (i.e. claims 1-25) are patentable and in condition for allowance. Respectfully, reconsideration and allowance are requested.

#### **C. Second Ground of Rejection**


In the Final Office Action, the Examiner rejected dependent claims 6-8, 14, and 19-24 under 35 U.S.C. § 103 as obvious in view of Tavor, Doi, and, additionally, Henley. Appellant, however, respectfully asserts that the addition of Henley does not obviate the deficiencies of the Tavor-Doi reference combination discussed above. Accordingly, Appellant respectfully asserts that dependent claims 6-8, 14, and 19-24 are patentable by virtue of their respective dependencies on allowable base claims, and further by the additional features recited therein. With the foregoing in mind, Appellant respectfully requests reconsideration and allowance of dependent claims 6-8, 14, and 19-24.

**Conclusion**

Appellant respectfully submits that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: December 27, 2005

  
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8. **APPENDIX OF CLAIMS ON APPEAL**

1. (original) A computer system coupled to a network to enable a radiological imaging workstation supplier to provide a customer with information for a recommended radiological imaging workstation, the computer system comprising:

an application server to direct a query page to the customer via the network, wherein the query page comprises a plurality of questions designed to enable the computer system to determine a recommended radiological imaging workstation based on the customer's responses to the plurality of questions, the radiological viewing workstation enabling an operator to view images produced by imaging systems of different modalities, further wherein at least one of the plurality of questions establishes the imaging software to be recommended;

a comparison program to receive a completed query page from the customer and compare the customer's responses in the completed query page to a plurality of predicted responses to the plurality of questions, a predicted response corresponding to a radiological imaging workstation configuration; and

a server to provide a results page to the customer via the network, the results page providing the customer with a recommended radiological imaging workstation.

2. (original) The system as recited in claim 1, wherein at least one of the modalities of imaging systems is a computed tomography (CT) system.

3. (original) The system as recited in claim 1, wherein at least one of the modalities of imaging systems is a magnetic resonance imaging (MR) system.

4. (original) The system as recited in claim 1, further comprising a product selector file, wherein the product selector file contains the plurality of questions for supplying the query page.

5. (original) The system as recited in claim 4, wherein the product selector file is written in extensible markup language (XML).

6. (original) The system as recited in claim 1, wherein the query page is written in Java script.

7. (original) The system as recited in claim 1, wherein the query page comprises a link to a help page, wherein the help page provides information to assist a customer answer at least one of the plurality of questions.

8. (original) The system as recited in claim 1, wherein each question has an associated link to a help page, wherein the help page provides information to assist a customer answer each of the plurality of questions.

9. (original) The system as recited in claim 1, wherein the information stored in the computer system is stored in a product configuration file, wherein the product configuration file contains data on specific configurations of Radiological imaging workstations.

10. (original) The system as recited in claim 9, wherein the specific configurations of radiological imaging workstations is determined by a sales history of specific configurations of radiological imaging workstations.

11. (original) The system as recited in claim 9, wherein a specific configuration of a radiological imaging workstation comprises software packages.

12. (original) The system as recited in claim 9, wherein the product selector file is written in extensible markup language (XML).

13. (original) The system as recited in claim 9, wherein the product selector file populates the results page with a specific radiological imaging workstation configuration that matches the customer's responses in the completed query page.

14. (original) The system as recited in claim 1, wherein the results page is written in Java script.

15. (original) A computer system coupled to a network to assist a customer to select a radiological imaging workstation from among a plurality of radiological imaging workstations, the computer system comprising:

an application server coupled to a network, the application server directing a customer to files stored in the computer system;

a product selector file written in a markup language and stored in the computer system, the product selector file defining a plurality of questions designed to elicit data from a customer to determine a single radiological imaging workstation to recommend to the customer from among a plurality of radiological imaging workstations, wherein the product selector file provides the plurality of questions to a query page for delivery to a customer;

a program that operates to determine a recommended radiological imaging workstation for the customer by comparing data provided by the customer via the plurality of questions to radiological imaging workstation data stored in the computer system; and

a product configuration file written in a markup language and stored in the computer system, the product configuration file holding the radiological imaging workstation data used by the program, wherein the product configuration file provides recommended relating to a radiological imaging workstation to a results page for delivery to the customer.

16. (original) The system as recited in claim 15, wherein the product selector file is written in extensible markup language (XML).

17. (original) The system as recited in claim 15, wherein the product configuration file is written in extensible markup language (XML).



18. (original) The system as recited in claim 15, wherein each question is a multiple-choice question.

19. (original) The system as recited in claim 18, further comprising a help file written in a markup language and containing information regarding each choice in at least one multiple-choice question.

20. (original) The system as recited in claim 19, wherein the help file is written in hypertext markup language (HTML).

21. (original) The system as recited in claim 15, wherein the application server is a Java class.

22. (original) The system as recited in claim 15, wherein the program is a Java applet.

23. (original) The system as recited in claim 15, wherein the query page is written in a Java script language.

24. (original) The system as recited in claim 15, wherein the results page is written in a Java script language.

25. (original) The system as recited in claim 15, wherein a recommended computer system comprises software.

26.-35. (cancelled).

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9. **APPENDIX OF EVIDENCE**

None.

10. **APPENDIX OF RELATED PROCEEDINGS**

None.

9. **APPENDIX OF EVIDENCE**

None.

10. **APPENDIX OF RELATED PROCEEDINGS**

None.